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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
PYO, MONICA M

ART UNIT	PAPER NUMBER
2161	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/777,732	GILBERT ET AL.
	Examiner	Art Unit	
	MONICA M. PYO	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>23 October 2008</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>21-39</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>21-39</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the Amendment filed 10/23/2008.

2.   Claims 21-39 are currently pending in this application. In the Amendment filed

10/23/2008, no claims are amended. Claims 21-39 are rejected.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 21-28, 30 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent Application Publication No. 2003/0140038 by Baker et al. (hereinafter Baker)

in view of U.S. Patent Application No. 2003/0140035 by Burrows (hereinafter Burrows).

        Regarding claims 21 and 30, Baker discloses a computer-implemented method of

inserting a graphic onto a drawing page of a drawing software module installed on a computer,

wherein the drawing software module is configured to access by default a local graphic library

that is installed on the computer (Baker: [0048]; fig. 4), the method comprising:

        A).   maintaining on a local-are network an enterprise graphic library, as the Local

database management stores and manages the data downloaded by the download/upload module

(Baker: [0033, 0052]),

   B).   **wherein the enterprise graphic library** (i.e., local database) **is remote from the computer**, as the server and the local database (Baker: [0035]), **and**

   C).   **wherein the enterprise graphic library and the public graphic library are both separate from the local graphic library** (i.e., client computer) **the drawing software module is configured to access by default,** as the client computer communicates with the server computer (Baker: [0034-0035]);

   D).   **maintaining on the computer the local graphic library,** as the Local database management module stores or caches the keyword tree list (Baker: [0052]);

   E).   **configuring by a user the drawing software module to access the enterprise graphic library in addition to the local graphic library the drawing software module is configured to access by default**, as the client computer perform a search in the local database and the server (Baker: [0035]);

   F).   **receiving from the user a search term that describes a desired graphic and a selection of whether to search the local graphic library, a remote graphic library, or both,** as the Search module receives search terms from the user and the module searches the local database or the remote server (Baker: [0055]) ;

   G).   **when the user selects to search a remote graphic library,** as if the user wishes to search more in depth (Baker: [0056]),

      H).   **if the drawing software module has been configured to access the enterprise graphic library** (i.e., collection A), **identifying one or more graphics in the enterprise graphic library** (i.e., collection B) **that match the received search term,** as the can

have the option of searching any one of the collections (A or B) which the user has subscribed

(Baker: [0056]), **and**

        I)   **if the drawing software module has been configured to access the**

public graphic library, identifying one or more graphics in the public graphic library that

match the received search term, as the can have the option of searching any one of the

collections (A or B) which the user has subscribed (Baker: [0056]);

        J).   **when the user selects to search the local graphic library, identifying one or**

more graphics in the local graphic library that match the received search term, as if the

user chose to search within the client computer (Baker: [0056]);

        K).   **retrieving from the graphic libraries in which the graphics were identified**

with the information which associated with each of the identified graphics, as the

download/upload module retrieves the representations of the items found by the search (Baker:

[0051-0052]);

        L).   **displaying to the user the retrieved metadata** (i.e., a short summary of the

document contents), as the UI module displays to the user (Baker: [0045 & 0054]);

        M).   **receiving from the user a selection of one of the identified graphics based on**

the displayed metadata, as the items which are referenced by the found keyword can be

retrieved based on an input from the user (Baker: [0046 & 0055])) **;**

        N).   **retrieving the selected graphic from the graphic library in which the graphic**

was identified, as the retrieving process of thumbnail images of the items found and transmitting

such images to the user by way of the presentation module and the UI module (Baker: [0055]);

O).   **inserting the selected graphic onto the drawing page of the drawing software module,** as the local computer stores the data (Baker: [0059]).

Although Baker discloses the system utilizing a local-are graphic library (Baker: [0033, 0035, 0052], Baker does not explicitly disclose the feature of the system maintaining on a local-area network an enterprise library that includes content transferred from a public library accessible via a wide-area network to the enterprise library, and wherein the enterprise library and the public library are both remote from the computer. In addition, Baker also does not explicitly disclose the feature of its system accessing the public graphic library in addition to the local graphic library. However, such features are well known in the art as disclosed in Burrows (Burrows: [0028-0029], fig. 1 – i.e., *database index 154 or database 156* as a local-area enterprise library; *database index 120 or document(s) 122* as a wide-area network public library) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Burrows in the system of Baker in view of improving the efficiency of the searching graphic database system.

Regarding claim 22, Baker and Burrows disclose the method wherein the enterprise graphic library is a private graphic library accessible only to a defined set of users and others with authorization (Baker: [0056] – i.e., subscription)

Regarding claim 23, Baker and Burrows disclose the method wherein an address for each of the graphic libraries is written into a configuration database associated with an operating system of the computer (Baker: [0064]) and (Burrows: [0029]).

Regarding claim 24, Baker and Burrows disclose the method wherein a wide-area network address written into the configuration database is changed to a local-area network address when the user configures the drawing software module to access the enterprise graphic library on the local-area network (Baker:[0039]) and (Burrows: [0029]).

Regarding claims 25 and 38, Baker and Burrows disclose the method wherein the metadata comprises a representative, abridged image of the graphic (Baker: [0054]) and (Burrows: [0029]).

Regarding claim 26, Baker and Burrows disclose the method wherein at least one of the selected graphic libraries is located inside a firewall of an enterprise (Baker: [0048]) and (Burrows: [0029]).

Regarding claim 27, Baker and Burrows disclose the method wherein at least one of the selected graphic libraries is located at an intranet site, and wherein the identifying one or more graphics comprises generating a document associated with the identified graphics and transmitting the document to an active server page of an intranet site (Baker: [0045]) and (Burrows: [0029]).

Regarding claim 28, Baker and Burrows disclose the method wherein the configuring includes storing an address of each graphic library (Baker: [0057 & 0064]) and (Burrows:

[0029]).

Regarding claim 36, Baker and Burrows disclose the computer-readable medium wherein the graphic databases include a private graphic database on a local-area network and a public graphic database on a wide-are network (Baker: [0033-0034]) and (Burrows: [0029]).

Regarding claim 37, Baker and Burrows disclose the computer-readable medium wherein the information comprises metadata (Baker: [0045]).

Regarding claim 39, Baker and Burrows disclose the computer-readable medium wherein the metadata includes a textual description of the graphic (Baker: [0045]) and (Burrows: [0029-0030]).

5.   Claims 29, 31, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable Baker in view of Burrows as applied to claims 21-28, 30 and 36-39 above, and further in view of U.S. Patent No. 6,658,598 issued to Sullivan (hereinafter Sullivan).

Regarding claim 29, although Baker and Burrows disclose the method further comprising changing a stored address to point to a different graphic library by transmitting the search term to the remote server (Baker: [0058]), Baker and Burrows do not explicitly disclose the method to change a stored address to point to a library. However, such a feature is well known in the art as disclosed in Sullivan (Sullivan: col. 9, lns. 66-col. 10, lns. 17) and it would have been obvious to

utilize the teachings of Sullivan in the systems of Baker and Burrows in view of improving the
efficiency of the searching database system.

Regarding claim 31, although Baker and Burrows disclose the computer-readable
medium wherein the configuring includes the series of computer instructions to communicate
and transmit to a computer system (Baker: [0064]), Baker and Burrows do not explicitly disclose
the configuring includes setting a registry key for each of the graphic databases. However, such
a feature is well known in the art as disclosed in Sullivan (Sullivan: col. 9, lns. 66-col. 10, lns.
17) and it would have been obvious to utilize the teachings of Sullivan in the systems of Baker
and Burrows in view of improving the efficiency of the searching database system.

Regarding claim 32, Baker and Burrows and Sullivan disclose the computer-readable
further comprising changing a registry key to point to a different graphic database (Baker:
[0064]) and (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

Regarding claim 33, Baker and Burrows and Sullivan disclose the computer-readable
medium wherein one of the selected graphic databases is an active server page, and wherein the
receiving from the user the search term comprises receiving an extensible markup language
document that is sent to the active server page (Baker: [0064]) and (Sullivan: col. 9, lns. 66-col.
10, lns. 17).

6.   Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker

in view of Burrows as applied to claims 21-28, 30 and 36-39 above, further in view of U.S.

Patent No. 7,167,920 issued to Traversat et al. (hereinafter Traversat).

        Regarding claim 34, although Baker and Burrows disclose the computer-readable

medium wherein the method further comprises receiving the desired graphic, and wherein the

inserting comprises downloading the desired graphic (Baker: [0058-0059]), Baker and Burrows

do not explicitly disclose a uniform resource locator. However, such a feature is well known in

the art as disclosed in Traversat (Traversat: col. 12, lns. 46-col. 13, lns. 3) and it would have been

obvious to utilize the teachings of Traversat in the systems of Baker and Burrows in view of

improving the efficiency of the searching database system.

        Regarding claim 35, Baker and Burrows and Traversat disclose the computer-readable

medium wherein at least one of the graphic databases is located on a private network, and

wherein the uniform resource locator locates the desired graphic on a server in the private

network (Baker: [0056]) and (Traversat: col. 12, lns. 46-col. 13, lns. 3).

Response to Arguments

7.   Applicant's arguments, see Remarks, pages 9-11, filed 10/23/2008, with respect to claims

21-29 have been fully considered and are persuasive. The Non-Final Office Action of 7/23/2008

has been withdrawn.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192.

The examiner can normally be reached on Mon & Thur 7:00 - 3:00.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                                Monica M Pyo
                                                Examiner
                                                Art Unit 2161

mpyo
1/2009

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161